



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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09/463,474 08/04/00 SINN

H 8484-077-999

EXAMINER

HM12/0209

PENNIE & EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK NY 10036-2711

ART UNIT PAPER NUMBER

1653
DATE MAILED:

02/09/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

UNITED STATES DEPARTMENT OF COMMERCE
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| EXAMINER |
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| ART UNIT | PAPER NUMBER |
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DATE MAILED:

9

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

Please see the attached sheet regarding applicants' response to the restriction requirement.

Applicants' election of Group I with traverse is acknowledged. However, applicants have failed to elect a specie, as required in the previous Office action (paper No. 6, mailed 11/14/00). A specie is a fully defined molecule. The structural information provided should include the following information:

- (a) a specific carrier;
- (b) a specific fluorescent moiety;
- (c) the nature of the bonding between the fluorescent moiety and the carrier, and whether the fluorescent moiety is bonded directly to the carrier, or whether there is an intervening linker;
- (d) whether the conjugate comprises a plurality of carriers, or just one carrier.

Applicants' election (paper No. 8 (filed 1/16/01) is **non responsive** to the restriction requirement. Failure to elect a specie will result in ABANDONMENT of the application. The time period for response that was set in the previous Office action (paper No. 6, mailed 11/14/00) is reset pursuant to this Office action; however, failure to elect a specie will result in ABANDONMENT of the application.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lukton [phone number (703)308-3213].


DAVID LUKTON
PATENT EXAMINER
GROUP 1800